



# County of Fairfax, Virginia

*To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County*

June 8, 2007

Michael E. Kinney  
Hunton & Williams, LLP  
1751 Pinnacle Drive, Ste 1700  
McLean, VA 22102

Re: Special Exception Application SE 2006-SU-024  
(Amended applicant name)

Dear Mr. Kinney:

At a regular meeting of the Board of Supervisors held on May 7, 2007, the Board approved Special Exception Application SE 2006-SU-024 in the name of Wolseley Investments, Inc. The subject property is located at 13890 Lowe Street on approximately 4.6 acres of land zoned I-5, HD, and WS in the Sully District [Tax Map 34-2 ((1)) 17E pt]. The Board's action allows outdoor storage in association with a warehousing establishment in the Sully Historic Overlay District pursuant to Section 9-621 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions. Other Permitted or Special Permit uses may be allowed on the site without amending this special exception so long as the proposed use is in substantial conformance with the SE Plat and all Zoning Ordinance requirements have been met.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Ferguson Waterworks", prepared by Rinker Design Associates, P.C. and Arencibia Architects Inc., consisting of 8 sheets with Sheets 1 through 5 dated August 14, 2006 as revised through March 2, 2007, Sheets 6, 7 and 8 dated November 27, 2006 as revised through March 2, 2007, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

Office of Clerk to the Board of Supervisors  
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Fairfax, Virginia 22035

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4. The proposed warehouse/ office building in Phase 1, shown as the "Proposed" on the SE Plat, shall be a maximum of 15,200 gross square feet.
5. The proposed warehouse/ office building expansion in Phase 2, shown as the "Future Expansion" on the SE Plat, shall be a maximum of 7,200 gross square feet.
6. The office/warehouse shall be constructed in substantial conformance with the elevations provided in the SE Plat. Modifications to the appearance of the building shall be permitted subject to the approval of the Architectural Review Board prior to issuance of the building permit. The northern elevation of the future expansion in Phase 2 shall incorporate building materials and colors that are in substantial conformance with the south, east and west elevations as depicted in the SE Plat or as modified subject to the approval of the Architectural Review Board prior to issuance of the building permit for this addition.
7. On demand or prior to Site Plan approval, whichever comes first, the right-of-way along the application's Lowe Street frontage shall be dedicated in fee simple at no cost to the Board of Supervisors. Prior to final bond release for Phase I shown as the "Proposed" on the SE Plat, improvements to Lowe Street shall be constructed in conformance with VDOT design standards or as otherwise determined necessary by DPWES or DOT.
8. A 5 foot wide crosswalk shall be provided across the interparcel connection, which is located on the southeast corner of the site, to connect the proposed sidewalk to the main entrance of the building.
9. The proposed gate at the entrance on Centerview Drive shall be constructed so that it does not open out towards Centerview Drive. All gates shall include permanently mounted reflectors to increase visibility.
10. Storage of materials and equipment within the outdoor storage area shall not exceed 15 feet in height.
11. The type of materials stored on site shall be limited to High Density Polyethylene (HDPE), Polyvinyl Chloride (PVC) and cast iron waterworks products, in addition to underground conduit products, and erosion control products limited to rolls of synthetic fabric products.
12. All landscaping shown on the SE Plat shall be constructed as determined by DPWES except for additional utility crossings not shown on the SE Plat. Additional utility crossings not shown on the SE Plat shall be constructed in the least disruptive manner to the proposed landscaping and buffering as determined by Urban Forest Management (UFM).

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13. All lighting, including streetlights, security lighting, signage lighting, and pedestrian or other incidental lighting shall be in conformance with Article 14, Part 9 of the Zoning Ordinance.
14. All signage shall meet the requirements of Article 12 of the Zoning Ordinance.
15. Retaining walls shall be constructed at the minimum height necessary as determined by Department of Public Works and Environmental Services (DPWES). In no instance shall the retaining wall shown to the north of the interparcel connection located at the southeast corner of the site be more than five feet (5') in height.
16. Any tree proposed to be removed during the construction of the interparcel connection located at the southeast corner of the site shall be replaced with new trees. The species, size and location of the replacement trees shall be determined by Urban Forest Management in DPWES at the time of Site Plan Review.
17. All delivery and supply trucks shall be instructed to depart the site at the access point on Centerview Drive and shall be limited to a right turn only onto Centerview Drive. Appropriate signage shall be placed at the Centerview Drive access point subject to approval of VDOT and FCDOT.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established. A non-residential use permit for Phase II shown as the "Future Expansion" on the SE Plat must be issued within 5 years after the date of approval to establish Phase II, unless additional time is granted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

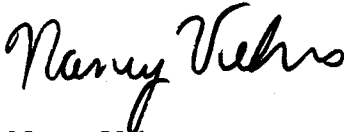
**The Board also:**

- **Modified the transitional screening yard requirement along the southern boundary and modification of the barrier requirement along the southern and western boundaries, in favor of that shown on the SE Plat, and as conditioned.**

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If you have questions regarding the expiration of this Special Exception or filing a request for additional time, they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs  
Clerk to the Board of Supervisors

NV/dms

Cc: Chairman Gerald E. Connolly  
Supervisor Michael Frey, Sully District  
Janet Coldsmith, Director, Real Estate Division. Dept. of Tax Administration  
Regina Coyle, Director, Zoning Evaluation Division, DPZ  
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning  
Thomas Conry, Dept. Manager. - GIS - Mapping/Overlay  
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division  
Ellen Gallagher, Capital Projects and Operations Div., Dept. of Transportation  
Audrey Clark, Director - Building Plan Review, DPWES  
Ken Williams, Plans & Document Control, ESRD, DPWES  
Department of Highways-VDOT  
Sandy Stallman, Park Planning Branch Manager, FCPA  
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division  
District Planning Commissioner  
Barbara J. Lippa, Executive Director, Planning Commission  
Jose Comayagua, Director, Facilities Management  
Gary Chevalier, Office of Capital Facilities/Fairfax County Public Schools  
Dale Castellow, Chief Capital Projects Sections, Dept. of Transportation